

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Nathaniel Livingston, Jr.,
Plaintiff

vs

Case No. 1:02-cv-102-TSH
(Hogan, M. J.)

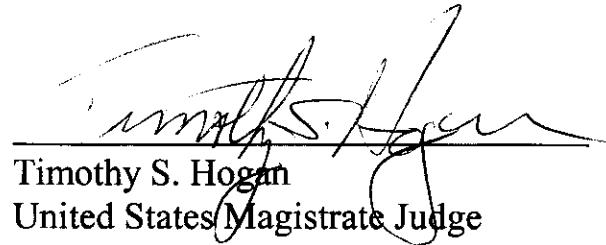
Charles Luken, et. al.,
Defendants

ORDER

This matter is before the Court on defendants' motion for extension of time within which to file dispositive motions. (Doc. 75). Defendants seek an extension of time up to May 31, 2006, to file their summary judgment motion. On April 25, 2006, the Court was informed by telephonic conference that plaintiff does not object to the extension of time. On April 26, 2006, defendants filed a second motion for extension of time. (Doc. 76).

According to the Calendar Order governing this matter, the case is set for a Final Pretrial Conference on July 28, 2006, and Trial commencing August 14, 2006. (Doc. 74). If the Court were to grant defendants' motion for the entire time requested, under the Court's Local Rules, this matter would not be ripe for decision until approximately two weeks before the Pretrial Conference. *See S. D. Ohio L. R. 7.2.* Such an extension would make it extremely difficult for the Court to fully and thoughtfully consider the parties' arguments and render a decision prior to the Pretrial Conference. Given the fact that this case was filed over four years ago, the Court does not intend to delay trial of this matter. Consequently, the Court will grant defendants' motion in part. Defendants may have up to and including May 15, 2006, within which to file their dispositive motion.

IT IS THEREFORE ORDERED THAT: defendants' motion for extension of time (Doc. 75) is **granted in part** and defendants' second motion for extension of time (Doc. 76) is **denied as moot**.



Timothy S. Hogan
United States Magistrate Judge